

000737CIP

PATENT

## REMARKS

Prior to the instant reply, claims 44-47 were pending in the present application. By this reply, claim 44 has been amended, and new claims 48-50 have been added. No claims have been canceled. Accordingly, following the entry of this paper, claims 44-50 will be pending in the present application. Reconsideration and allowance of the application is respectfully requested in view of the above amendments and following remarks.

The 35 U.S.C. § 103 rejections

The Examiner has rejected claims 44-45 and 47 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,036,329 to Ando (hereinafter referred to as "Ando") in view of U.S. Patent No. 5,239,667 to Kanai (hereinafter referred to as "Kanai"). The applicant respectfully traverses the rejection.

Independent claim 44 has been amended to more clearly point out the claimed subject matter. Claim 44, as amended, is directed to a method of determining a Doppler search window for acquiring a satellite positioning system signal by a mobile communication device. The method comprises a combination of steps including, for example, converting the change in the received cellular communication signal to approximate motion information; and determining the Doppler search window based on the approximate motion information. It is submitted that the cited references do not teach or suggest all of the claim limitations of claim 44.

With respect to the cited references, Ando is directed to a vehicular mounted GPS receiver. In the event that the GPS receiver loses a satellite signal, as described at column 3 lines 7-10, the receiver attempts to regain the signal by searching for the signal at a search frequency within a range of a Doppler frequency shift that is predicted by a moving speed of a GPS receiver. Importantly, Ando is devoid of any mention of how the moving speed of the GPS receiver is determined. Ando simply assumes that the moving speed is available to the GPS receiver and makes no mention of the source of such information. Furthermore, Ando is devoid of any mention of cellular or any wireless communication. In fact, Ando is completely silent on these points, and thus cannot provide any suggestion or motivation for converting a change in a cellular communications signal to approximate motion information.

000737CIP

PATENT

Kanai is directed to controlling handoff between cell sites in a mobile communications system. Kanai discusses that Rayleigh fading can be affected by motion of the traveling terminal at column 3 line 63 through column 4 line 24. Kanai then goes on to describe how a measurement related to Rayleigh fading may be used to vary a threshold signal strength at which a handoff between cells is to occur, as discussed at col. 4 lines 31-53. Importantly, Kanai is directed only to reducing the instances of premature cell handoff, and adjusts *handoff threshold values* based on signal strength and the number of times electric field strength crosses a given level. As specifically stated at column 4, lines 49-53, “[b]y determining when a handoff should be made based on a parameter *indicative of the velocity* of the mobile terminal, the number of handoffs can be reduces....” (emphasis added). Kanai at no point determines motion information for the mobile terminal, but rather sets handoff threshold levels based on received signal characteristics. Thus, Kanai is devoid of any disclosure of converting a cellular communications signal to approximate motion information, or of then using that approximate motion information to make any further determinations.

Accordingly, it is submitted that the cited references, alone or in combination, are devoid of any teaching or suggestion of the combination of elements as claimed. Therefore, it is submitted that claim 44 is allowable over the cited references. Furthermore, claims 45 and 47 each depend from claim 44, and are similarly allowable at least because these claims contains the elements of independent claim 44 from which they depend. These dependent claims may include one or more independent bases for patentability, and the right to assert any such basis in the future is reserved. Applicant therefore respectfully requests that the rejections of claims 44-45 and 47 be reconsidered and withdrawn.

The Examiner has rejected claim 46 under 35 U.S.C. § 103(a) as being unpatentable over Ando in view of Kanai, and further in view of U.S. Patent No. 5,859,612 to Gilhausen (hereinafter referred to as “Gilhausen”). The applicant respectfully traverses the rejection.

Claim 46 depends from previously discussed independent claim 44 and is similarly allowable at least because this claim contains the elements of independent claim 44. Furthermore, Gilhausen does not teach or suggest the method as claimed. Gilhausen is directed to a method for determining *position* of a mobile station within a cellular telephone system.

000737CIP

PATENT

Importantly, Gilhousen is devoid of any discussion of determining *approximate motion* of a mobile station, and thus does not overcome any of the above-discussed deficiencies. Applicant therefore respectfully requests that the rejection of claim 46 be reconsidered and withdrawn.

New claims 48-50 have been added. No new matter has been added, and support for these claims may be found, for example, at page 10, lines 13-19 of the specification. These claims depend from previously discussed independent claim 44 and are similarly allowable at least because these claims contain the elements of independent claim 44. Furthermore, it is submitted that these claims include further bases for allowability, as the cited references contain no teaching or suggestion of the claimed converting of a change in received cellular communications signals to motion information.

### CONCLUSION

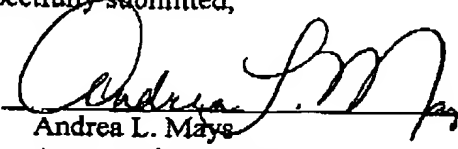
In view of the foregoing, Applicant respectfully requests that the Examiner reconsider the outstanding rejections and that these rejections be withdrawn. It is believed that a complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Applicant therefore respectfully requests that a Notice of Allowance be issued in this case. If the Examiner believes, for any reason, that personal communication will expedite prosecution of the application, the Examiner is invited to telephone the undersigned at the number provided.

If there are any other fees due in connection with the filing of the response, please charge the fees to our Deposit Account No. 17-0026. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Dated: August 21, 2006  
QUALCOMM Incorporated  
5775 Morehouse Drive  
San Diego, California 92121  
(858) 658-5928 Ph.  
(858) 658-2502

By:



Andrea L. Mays  
Attorney for Applicant  
Registration No. 43,721